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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3124 OF 2005
IN
INCOME TAX APPEAL (L) NO. 1272 OF 2005

The Commissioner of Income Tax ... Appellant

Versus

M/s. Ampee Textiles Pvt. Ltd. Mumbai. Respondent

Mr. B.M. Chatterjee with Ms. P.P. Bhosale and Mr. P.S. Sahadevan for the Appellants.

Mr. Ajay R. Singh for Respondent.

CORAM: F.I. REBELLO &
J.P. DEVADHAR, JJ.
DATED: SEPTEMBER 12, 2007

P.C.:

. There is delay of 427 days. The respondents have filed affidavit contesting the cause shown by the appellants. According to appellants the last date of filing the appeal was 2.8.2004. The CIT granted approval on 3.8.2004. The appeal was filed on 6.10.2005. Apart from general averments, there is no explanation for the delay between 3.8.2004 and 6.10.2005. Considering that no specific explanation offered, cause shown would not amount to sufficient cause. Hence, motion dismissed.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**